

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

SANTOS ESPARAZA, JR.	§	
VS.	§	CIVIL ACTION NO. 9:17-CV-45
MR. KUYKENDALL, ET AL.	§	

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Santos Esparaza, Jr., a prisoner confined at the Hughes Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Mr. Kuykendall, Mr. Dees, Mr. Manns, Mr. Rodriguez, Mr. Flowers, Mr. Johnson, C. Martinez, Brad Livingston, and unidentified defendants.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing the claims against defendants Martinez and Livingston as frivolous and for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report and recommendation of the Magistrate Judge (document no. 11) is **ADOPTED**. A

partial judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So Ordered and Signed

Jan 2, 2018

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge